



MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL AND THE COUNCIL SITTING AS THE REDEVELOPMENT AGENCY BOARD

**Council Chamber in City Hall
68-700 Avenida Lalo Guerrero
Cathedral City, CA 92234**

WEDNESDAY, OCTOBER 12, 2005

The Regular meeting of the City Council, also sitting as the Redevelopment Agency Board was called to order by Mayor DeRosa in the Council Chambers on September 14, 2005 at 3:00 p.m.

ROLL CALL:

Present: Council Members/RDA Board Members Marchand, Vasquez,
Mayor/Chairman DeRosa

Absent: Council Member/RDA Board Member England
Mayor Pro Tem/RDA Vice Chairman Pettis

Council Member Marchand moved to excuse the absent members, motion seconded by Mayor DeRosa, motion carried 3-0.

Council Member/RDA Board Member England arrived at 3:07 p.m. Mayor Pro Tem/RDA Vice Chairman Pettis arrived at 3:10 p.m.

Mayor DeRosa opened public comments for anyone who wanted to speak on any Closed Session item. There were no requests to speak.

The regular meeting began at 6:32 p.m. and was opened by Mayor DeRosa.

Mayor DeRosa requested that we remember Tom Suitt who passed this week. Mr. Suitt was a community leader and served in the Assembly from 1974-1978. Also Police Chief Henry recently lost his father-in-law

Rabbi Steve Babkow from the Ovah Shalom Messianic Congregation did the invocation.

Cathedral City High School Junior Air Force ROTC did the Presentation of Colors and Mayor DeRosa led the Pledge of Allegiance.

CLOSED SESSION AGENDA:

1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8 (**Paul Shillcock**)
Property Location: APN# 687-030-075, 076 and 076
Negotiating Parties: Redevelopment Agency and Don Stewart
Property Owners: Jessup Auto Plaza and Tramview Land Company
Under Negotiation: Disposition of Property
2. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8 (**Paul Shillcock**)
Property Location: East of the East Cathedral Canyon Storm Channel in Designated Open Space Area.
APN #674-020-009 & 011 and 670-060-017 & 025
Negotiating Parties: Cathedral City Redevelopment Agency, Desert Cove Golf Resorts, LLC and Barbara Lyons.
Property Owner: Cathedral City Redevelopment Agency
Under Negotiation: Property Disposition
3. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8 (**Paul Shillcock**)
Property Location: East of Van Fleet Avenue, South of East Palm Canyon, west of East Cathedral Canyon Channel and north of "D" Street
Negotiating Parties: Redevelopment Agency and City Urban Revitalization Corporation (CURC)
Property Owners: Redevelopment Agency
Under Negotiation: Disposition of Property
4. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8. (**Keith Scott**)
Property Location: 67751 East Palm Canyon Drive
APN#s 687-030-010 and 074
Negotiating Parties: Redevelopment Agency, and LINC Housing, SoCal Housing, Coachella Valley Housing Coalition (CVHC), Mercy Housing, or Urban Housing Communities.
Property Owner: Cathedral City Redevelopment Agency
Under Negotiation: Property Disposition
5. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8. (**Charlene Sumpter**)
Property Location: Parcels just north of A & B Street, west of Van Fleet, East of Cathedral Canyon, south of East Palm Canyon Drive otherwise known as Phase II
Negotiating Parties: Cathedral City Redevelopment Agency and Tri-

CC/RDA MINUTES
OCTOBER 12, 2005
Page 3

Millennium Cathedral City LLC

Property Owner: Cathedral City Redevelopment Agency

Under Negotiation: Property Disposition/Lease Negotiations

6. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8. (**Charlene Sumpter**)

Property Location: Parcels East of Cathedral Canyon Drive, North of East Palm Canyon Drive, south of Lalo Guerrero and west of George Montgomery.

Negotiating Parties: Cathedral City Redevelopment Agency and Tri-Millennium Cathedral City LLC

Property Owner: Cathedral City Redevelopment Agency

Under Negotiation: Property Disposition

7. CONFERENCE WITH LEGAL COUNSEL- POTENTIAL LITIGATION pursuant to Government Code Section 54956.9, Subd. (b)

Number of Potential Cases: 2

8. CONFERENCE WITH LABOR NEGOTIATOR pursuant to Government Code Section 54957.6

Agency Negotiator: Donald Bradley, City Manager

Represented Employees: 1) Cathedral City Police Fire Management Association (CCPFMA); 2) American Federation of State, County and Municipal Employees.

CLOSED SESSION ANNOUNCEMENTS

City Attorney Green advised there were no reportable actions out of closed session, but the Council did not finish the Closed Session Agenda so they would be returning to Closed Session later in the evening.

Mayor DeRosa asked new employee Janet Davison, Redevelopment Director to tell us a little about her background. Ms. Davison came to us from Watsonville, California and prior to that she worked in the City of Riverside.

PUBLIC COMMENTS

Bill Cohen – Cathedral City. He is still looking for volunteers for the COPS, has T-Shirts to sell for \$16.00. He will deliver the T-Shirts.

St. Clair Adams – Cathedral City Cove. Mr. Adams is frustrated with a problem with the gas to his home in the cove, due to the demolition of the home next door. He thanked all the people in City Hall that have tried to help him resolve this problem. He feels he has been two months without gas due to this demolition.

CC/RDA MINUTES

OCTOBER 12, 2005

Page 4

Greg Wetmore – Rancho Mirage. Mr. Wetmore is President and CEO of the Cathedral City Chamber of Commerce. He brought us up to date on scheduled events.

Brad Fleener – Cathedral City. Mr. Fleener is President of the Desert Aquatic Group who is attempting to get a swimming facility for Cathedral City. He spoke of a particular event that might be scheduled for such a facility, that is water polo. He is the swim coach at Cathedral City High School and will retire in a few years and would be willing to coach such a program for free.

Debra Ahlers – Cathedral City. Ms. Ahlers wanted to thank the Council for the forum that was held for the candidates for the Palm Springs Unified School District Board. Ms. Ahlers is a candidate and also introduced her children Katlin who is in 6th grade and Wesley who is in 3rd grade in Cathedral City Schools.

Stuart Collins – Cathedral City. Reverend Collins was recognized at the City Council Meeting of September 28th on the occasion of his recent retirement. Reverend came back tonight to thank the City Council for all their efforts on behalf of the city and its residents. Reverend Collins presented the Council with his version of a Proclamation.

AGENDA FINALIZATION

Mayor DeRosa advised there were no changes to the Agenda.

COUNCIL COMMENTS

Council Member Marchand asked that when we adjourn tonight that we do so in memory of Simon Wiesenthal, Tom Suitt, and Chief Henry's father-in-law. He also reminded everyone that electric rates are increasing and that while we are frustrated, we should not take it out on Southern California Edison Public Affairs Representatives Lin Juniper and Kathy DeRosa. He advised that we had received a letter from the Jewish Federation about our Resolution honoring Simon Wiesenthal. Council Member Marchand advised he had received much positive feedback with regard to the new logo. We are going to be recognized in a state wide ad on conserving energy and our program, with the installation of the solar energy panels on the top floor of the garage, is key to this publicity.

Mayor Pro Tem Pettis reported that the Council Chambers are being used more frequently for community events and there will be a SCAG Regional Council Meeting here in chambers in about two weeks. Also to assist in raising funds for the Guide Dogs for the Desert, Mayor Pro Tem Pettis will be participating in the Bow Wow Hukilau on October 30th at the Ramada Inn in Palm Springs. He has agreed to participate in the Polynesian Water Torture Ceremony, so for a small donation you may come and help subject him to this torture!

Mayor DeRosa is in a communication class and she is assigned to mentor two students, one is an exchange student from Japan. Their goal is to raise the students awareness of higher education. She also advise that she loved to hear from the public and that every letter is answered and she attempts to solve community problems, but in order for her to

CC/RDA MINUTES

OCTOBER 12, 2005

Page 5

do that, you must sign your letters. Unsigned letter, or letters signed Concerned Citizen lack value and will not be responded too.

MINUTES

The minutes of the regularly scheduled City Council/RDA Board meeting on Wednesday September 14, 2005 were approved as written.

PRESENTATIONS & PROCLAMATIONS

Council presented a Proclamation declaring the month of October as Fire Prevention Month to the Cathedral City Fire Department Battalion Chief Hatfield. Chief Hatfield, presented Certificates and goodie bags to 14 Cathedral City youngsters as winners of this years Fire Prevention Poster contest.

Three Cathedral City police officers were honored by the Auto Club and CHP for their work in arresting vehicle thieves. To receive the CV 10851 awards, each of them recovered six or more stolen vehicles (with the bad guys in them) within a 12-month period. Those receiving the awards were Officers Dan Anes and Miguel Torres and Sgt. Scott Sharp.

The City Council presented Certificates of Commendation to Diane Sawa and Wyvette Fuzell of the Building Department for their ongoing efforts in collecting TUMF fees.

Deanna Pressgrove and Karen Riley (SCRAP Gallery) presented a check for \$2500 to Rio Vista Elementary School Principal as winner of the Cash for Cans contest sponsored by the City of Cathedral City, S.C.R.A.P Gallery and Waste Management of the Desert.

There was a Proclamation declaring Friday, October 21, 2005 as Building Horizons Day in Cathedral City and a Proclamation proclaiming Saturday, October 22nd, 2005 as Make a Difference Day in Cathedral City.

Fire Chief Steve Sowles made a very informative presentation on what we have done with regard to Disaster Preparedness. It has been originally thought that we should all be prepared to survive on our own for three days, but with all of the recent disasters we are learning, that here in the desert we should be thinking more about being prepared to survive for seven to ten days. Police Captain Holcomb followed up this presentation to tell what the Police do with regard to the Cities Disaster Plan.

CONSENT AGENDA

Council Member/RDA Board Member Marchand moved approval of the Consent Agenda items 1 through 6, motion seconded by Council Member/RDA Board Member England, motion carried 5-0.

1. Approved demands in the aggregate amount of \$5,172,874 for the month of September, 2005 **by Minute Order # 3973 and Minute Order RDA R-2037.**

2. Approval of the expenditure plan appropriating supplemental law enforcement services fund (SLESF) for 2005-2006 and 2006-2007 funding cycle **by Minute Order # 3974.**
3. Appointment of the following people to fill vacancies on various City Commissions/Committees:

Ralph E. Hitchcock to the Board of Appeals, John E. Holt to the Architectural Review Committee, Juan Carlos Ochoa to the Architectural Review Committee, Seth Southard to the Architectural Review Committee, and Alan Waters to the Architectural Review Committee **by Minute Order # 3975.**

Prior to the preparation of these minutes, Juan Carlos Ochoa declined acceptance to this Committee.

4. Approved Program Supplement No. M003 to Administering Agency - State Agreement for Federal – Aid Projects No. 08-5430 between the City of Cathedral City and the State of California, acting through the Department of Transportation, for the purpose of administering and disbursement of Federal funds for the Repair of the Date Palm Drive Bridge over the Whitewater River and Approval of a Resolution Authorizing the Execution of Program Supplement No. M003 **by Resolution No. 2005-77.**
5. Approved Tentative Parcel Map 33997: a request to divide a 15,680 square foot lot into two parcels with attached conditions of approval, located on a through-lot between Vista Chino and San Felipe Road, west of Panorama Road in the R-1 **by Minute Order # 3976.**
6. Approved Tentative Tract Map 33132: a request to divide a 1.55 acre parcel into six parcels with attached conditions of approval, located at 67-387 Mission Drive on Assessor's Parcel Numbers 677-373-008 in the R-1 **by Minute Order # 3977.**

Mayor DeRosa announced at this time that the Council needed to go into Closed Session, hearing no objection, the council adjourned to Closed Session. Council returned from Closed Session at 8:50 p.m. and City Attorney Green made the following Closed Session Announcement with regard to Item # 4 on the Closed Session Agenda: On a motion by Mayor Pro Tem Pettis, seconded by Council Member England, the Council approved on a 4-1 vote (Mayor DeRosa voted against) a direction to staff to continue negotiations with Southern California Housing, Urban Housing Communities and Coachella Valley Housing Coalition, and to eliminate from consideration Mercy Housing and LINC Housing.

CC/RDA MINUTES
OCTOBER 12, 2005
Page 7
PUBLIC HEARING

7. Adopt proposed resolution of necessity for condemnation of land necessary for road improvements at Landau and Vista Chino.

There was a brief report from Economic Development Manager Paul Shillcock who explained the need for this resolution and that the property would be used for street improvements. Mr. Shillcock answered a question from Council Member England and advised that the owners just were not interested in selling this property.

Mayor DeRosa invited the owner, or the owners representative to come forward to speak. No one responded. Mayor DeRosa then opened the floor to Public Comments.

St. Clair Adams – Cathedral City. He wanted to remind the City Council that eminent domain was a very serious action and he hoped the Council was doing this with great caution.

Seeing no one else wishing to speak Public Comments were closed.

RDA Board Member England moved approval, motion seconded by RDA Board Member Vasquez, motion carried 5-0 **by Resolution No. R-425**

8. Consideration of adoption of Comprehensive User Fee Study

There was a report by Assistant City Attorney Kendall Berkey advising that there were letters submitted to the City asking that the Council adopt fees for all departments except Building, and that the Building fees be reviewed at a later time.

Mayor DeRosa opened the floor to Public Comments.

Ed Kibbey – Executive Director of the BIA Desert Chapter. Mr. Kibbey asked that the Council not vote on certain Engineering fees that had to do with Uniform Building code (UBC).

Mayor DeRosa seeing no one else wishing to speak, closed Public Comments.

Council Member England moved adoption of the Fee Schedule with the exception of Building Fees and certain Engineering fees related to the UBC, motion seconded by Council Member Vasquez, motion carried 4-1 with Mayor Pro Tem Pettis voting no.

LEGISLATIVE ACTION(S)

9. Authorization for staff to execute a MOU with Don Stewart for project at the corner of Perez Road and East Palm Canyon Drive. It was clarified by City Attorney Green that the agenda should have read DDA and not MOU – the data is correct in the report

Donald Bradley, City Administrator declared a conflict that he was the owner of a mobil home in this area, recused himself and left the room.

Paul Shillcock, Economic Development Manager gave a report advising that it was being recommended that this item be continued for an additional two weeks.

Mayor DeRosa opened the floor to Public Comments.

Steve Lyle – Palm Springs. Mr. Lyle is the Property Manager and Leasing Agent for Tramview and Tramview had hired a team to do re-development in this area. Their goal is to bring balance to the corridor with a combination of eateries and retail.

Susan Seymour – Rancho Mirage. She is disappointed in staff recommendation and her family has owned the land for 50 years.

Hearing no one else wishing to speak Mayor DeRosa closed public comments.

Mayor Pro Tem Pettis has concerns and is unsure about a food court, with the failure of some restaurants in that area in the past. He objects to delaying the action for an additional two weeks.

City Attorney Green gave a clarification of an MOU and a DDA. Mayor DeRosa said the Stuart Family proposal called for the use of 3 acres and the Tramview proposal called for the use of 4.8 acres.

Council Member Marchand moved for a continuance of two weeks. He then Withdrew his motion.

Council Member Vasquez moved approval of the DDA, motion seconded by Mayor Pro Tem Pettis, motion carried 4-1 with Council Member Marchand voting no. Council Member Marchand advised that he wasn't against the proposal, but felt that the staff should get the extra time.

Council Member England moved to reconsider Item 9, Council Member Marchand seconded the motion, the motion to reconsider passed 5-0. This action was taken to allow Council Member Marchand to reconsider his vote. Mayor Pro Tem Pettis moved approval of the DDA, motion seconded by Council Member Vasquez, motion carried 5-0 **by Minute Order # 3978.**

10. Authorize the City to enter into an agreement with AEF Systems Consulting, Inc. for an analysis of information technology services, application and organization.

Police Chief Stan Henry gave a brief overview of what will be done and advised that Annette Feliciano, President of AEF Systems was in the audience to answer any questions.

Public Comments were opened and closed without comment. Mayor DeRosa

Invited Ms. Feliciano to come forward and introduce herself.

Council Member England moved approval, motion seconded by Council Member Marchand, motion carried 5-0 **by Minute Order # 3979.**

11. Authorize the City Manager to enter into a service provider agreement with Edgesoft, Inc. for licensing and implementation of an agenda creation application system, *EPacket*.

Pat Hammers, City Clerk gave a brief report and advised that Mr. Jeff VanDam From Edgesoft was in the audience to answer any questions.

Public Comments were opened and closed without comment.

Mayor Pro Tem Pettis moved approval, motion seconded by Mayor DeRosa, motion carried 5-0 **by Minute Order 3980.**

COUNCIL REPORTS ON CITIZEN INQUIRIES AND CONCERNS.

Council Member England asked Julie Baumer to look into a sign that has been blown over in the North end of the City. He made some comments about the scalping of Panorama Park and the people who live nearby are very unhappy with all the grass in their yards, garages, etc.

Mayor DeRosa commented about the signals on Plumley that are flashing on the week ends. Police Chief Henry advised that this is being worked on.

ADJOURNMENT

Hearing no further business to come before the Council, meeting was adjourned in memory as noted in page 4 of these minutes at 9:48 p.m.

Pat Hammers, CMC
City Clerk